

FILE COPY

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

JULIA GRUETZMACHER, R.N.,  
RESPONDENT.

FINAL DECISION  
AND ORDER  
LS9305272NUR

The State of Wisconsin, Board of Nursing, having considered the above-captioned matter and having reviewed the record and the Proposed Decision of the Administrative Law Judge, makes the following:

ORDER

NOW, THEREFORE, it is hereby ordered that the Proposed Decision annexed hereto, filed by the Administrative Law Judge, shall be and hereby is made and ordered the Final Decision of the State of Wisconsin, Board of Nursing.

The rights of a party aggrieved by this Decision to petition the department for rehearing and the petition for judicial review are set forth on the attached "Notice of Appeal Information."

Dated this 5 day of November, 1993.

Jacqueline Johnson RN MS

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST

JULIA GRUETZMACHER, R.N.,  
RESPONDENT

LS 9305272 NUR

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PROPOSED DECISION

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The parties to this proceeding for purposes of §227.53, Stats., are:

Julia Gruetzmacher  
801 Washington Street  
Wrightstown WI 54180

Wisconsin Board of Nursing  
Department of Regulation and Licensing  
P.O. Box 8935  
Madison WI 53708

Division of Enforcement  
Department of Regulation and Licensing  
P.O. Box 8935  
Madison WI 53708

A hearing was held in this matter on September 9, 1993. The Complainant Division of Enforcement appeared by Attorney James Harris. Respondent Julia Gruetzmacher did not appear, and no appearance was entered on her behalf. On motion of the Complainant, Respondent was found in default pursuant to §RL 2.14, Wis. Admin. Code, subject to the presentation of a prima facie case by the Complainant.

On the basis of the entire record in this matter, the Administrative Law Judge recommends that the Board of Nursing adopt the following Findings of Fact, Conclusions of Law and Order as its Final Decision in this proceeding.

### FINDINGS OF FACT

1. Respondent Julia M. Gruetzmacher is licensed as a registered nurse in Wisconsin, was born on May 14, 1935, and resides at 801 Washington Street, Wrightstown, Wisconsin, 54180.

2. Respondent has prior experience as a nurse anesthetist, and is certified by the Nurse Anesthetists Association.

3. Respondent was employed as a registered nurse at St. Paul Home, Inc., Kaukauna, Wisconsin during the period January through July 1991. During that period, Respondent on occasion:

a. Altered the flow of oxygen to patients with chronic obstructive pulmonary disease without a physician order.

b. Applied honey to a patient's decubiti without a physician's order.

c. Disregarded a physician order for the discontinuance of a medication and administered the medication as if it were a medication ordered PRN.

d. Administered an altered dosage of a sleeping medication to a patient without a physician order, and failed to document the alteration.

e. Claimed to have had conversations with residents 415 and 416; these residents were aphasic.

4. While employed by Caregivers Home Health, Appleton, Wisconsin as a home care nurse in August 1992, Respondent was placed in charge of the care of patient PG, a child. The patient was in a persistive vegetative state and has no spontaneous respiration. On numerous occasions, without a physician's order, Respondent removed the child from the ventilator for periods of one to five minutes. When challenged, Respondent stated that she only removed the ventilator when the child indicated that she wanted it done, by smiling. Respondent admitted that she was aware that there was no physician order permitting the removal, but that it was alright because she prayed each time before she removed the ventilator.

5. An evaluation of the Respondent by the Brown County Mental Health Center in January 1993 resulted in the following evaluation: AXIS I, 1. Major depression, single episode, with mood-congruent psychotic features, 2. rule out bipolar disorder, mild severity with some

mood-congruent psychotic features; AXIS II, histrionic personality features.

6. The evaluator recommended psychiatric treatment of Respondent with medication, which Respondent has refused. The evaluator also recommended that Respondent not practice nursing until successful completion of treatment.

### CONCLUSIONS OF LAW

1. The Board of Nursing has jurisdiction in this matter pursuant to §441.07(1), Stats.

2. By the conduct described in the Findings of Fact, Respondent has violated §441.07(1)(b),(c), and (d), Stats.; §§N 7.03(1)(a), (b), and (d); §§N 7.03(3), N7.04(5), Wis. Admin. Code, by engaging in acts demonstrating a failure to maintain competence in practice and methods of nursing care, by failing to execute an appropriate medical order; by demonstrating mental incompetency by conduct which reflects an impaired ability to safely or reliably perform nursing duties; and by practicing beyond the scope of a nursing license.

### ORDER

NOW, THEREFORE, IT IS ORDERED that the license previously granted to Julia M. Gruetzmacher to practice as a registered nurse in Wisconsin be and hereby is REVOKED on the date of this Order.


### OPINION

Julia Gruetzmacher poses a clear and present danger to any patient who may be placed in her care. The evidence in this proceeding included the depositions of numerous people who worked with Ms. Gruetzmacher and observed her behavior during the time periods referenced in the Findings of Fact. The overwhelming impression one receives of Ms. Gruetzmacher is of a well intentioned but seriously impaired person. It is true that the evidence in this proceeding was one-sided, in as much as Ms. Gruetzmacher did not appear, but the letter she sent as her Answer to the Complaint corroborates the deposition testimony which indicates that Ms. Gruetzmacher's nursing acts are guided as much by personal conviction and perceived instructions from God as they are by medical science. It is apparent that Ms. Gruetzmacher was at one time a particularly accomplished nurse. She is no longer competent to be given charge of a person who requires nursing care.

The evidence is clear that Ms. Gruetzmacher now feels it is her obligation to disregard medical orders with which she disagrees, whether or not she communicates that disagreement to the physicians giving the orders or to other nurses, and it is clear that she has repeatedly disregarded orders on that basis. This is incompatible with competent nursing practice.

Ms. Gruetzmacher is, on this record, in need of substantial psychiatric intervention before she can return to the practice of nursing. It is very clear that Ms. Gruetzmacher is suffering from an impairment of her judgment and perception of reality, and that this proceeding is a result of that impairment. For the protection of the public and her potential patients, it is appropriate to revoke Ms. Gruetzmacher's license. It is possible that prompt treatment will permit Ms. Gruetzmacher to rehabilitate her skills in less than one year, but it seems prudent to permit at least one year for the purpose, lest by impatience the benefit be lost.

Dated this 24th day of September, 1993.

  
James E. Polewski  
Administrative Law Judge

bd1s2:3698

## **NOTICE OF APPEAL INFORMATION**

**(Notice of Rights for Rehearing or Judicial Review,  
the times allowed for each, and the identification  
of the party to be named as respondent)**

**The following notice is served on you as part of the final decision:**

### **1. Rehearing.**

**Any person aggrieved by this order may petition for a rehearing within 20 days of the service of this decision, as provided in section 227.49 of the Wisconsin Statutes, a copy of which is attached. The 20 day period commences the day after personal service or mailing of this decision. (The date of mailing of this decision is shown below.) The petition for rehearing should be filed with the State of Wisconsin Board of Nursing.**

**A petition for rehearing is not a prerequisite for appeal directly to circuit court through a petition for judicial review.**

### **2. Judicial Review.**

**Any person aggrieved by this decision has a right to petition for judicial review of this decision as provided in section 227.53 of the Wisconsin Statutes, a copy of which is attached. The petition should be filed in circuit court and served upon the State of Wisconsin Board of Nursing**

**within 30 days of service of this decision if there has been no petition for rehearing, or within 30 days of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.**

**The 30 day period commences the day after personal service or mailing of the decision or order, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing of this decision is shown below.) A petition for judicial review should be served upon, and name as the respondent, the following: the State of Wisconsin Board of Nursing.**

**The date of mailing of this decision is November 8, 1993.**